

REMARKS

Claims 1-16 and 30 are pending. By this Amendment, claims 1, 2, 4 and 14 are amended and claims 17-29 are cancelled without prejudice or disclaimer. New claim 30 is added.

Reconsideration in view of the above amendments and following remarks is respectfully requested.

Applicant appreciates the courtesies extended by Examiner to Applicant's representative during the October 19, 2005 personal interview. The points discussed during the personal interview are incorporated herein.

**I. THE CLAIMS MEET THE REQUIREMENTS
OF 35 U.S.C. §112, FIRST PARAGRAPH**

The Office Action rejects claims 1 and 14 under 35 U.S.C. §112, first paragraph as failing to comply with the enablement requirement. The rejection is respectfully traversed.

By this Amendment, claims 1 and 14 are amended. It is respectfully submitted that these claims amendments overcome the rejection of claims 1 and 14 under 35 U.S.C. §112, first paragraph. Thus, withdrawal of the rejection of claims 1 and 14 under 35 U.S.C. §112, first paragraph is respectfully requested.

**II. THE CLAIMS MEET THE REQUIREMENTS
OF 35 U.S.C. §112, SECOND PARAGRAPH**

The Office Action rejects claims 1, 2, 4, 14, 16 and 17 under 35 U.S.C. §112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The rejection is respectfully traversed.

By this Amendment, claims 1, 2 and 4 are amended. With respect to claims 15 and 16, it is respectfully submitted that the acronyms would be known to one of ordinary skill in the art. For example, 'NOI' refers to Net Operating Income, 'DSC' refers to Debt Service Coverage, 'PSOR' refers to Primary Source of Revenue, 'EBIDA' refers to Earnings Before Interest, Depreciation and Amortization, 'CPLTD' refers to Current Portion of Long Term Debt, 'SSOR' refers to Second Source of Revenue, and 'TDSC' refers to Total Debt Service Coverage. It is respectfully submitted that these claims amendments overcome the rejection of claims 1, 2, 4, 16 and 17 under 35 U.S.C. §112, second paragraph. Thus, withdrawal of the rejection of claims 1, 2, 4, 16 and 17 under 35 U.S.C. §112, second paragraph is respectfully requested.

**III. THE CLAIMS MEET THE
REQUIREMENTS OF 35 U.S.C. §101**

The Office Action rejects claims 1-16 under 35 U.S.C. §101 because the invention allegedly is directed to non-statutory subject matter. The rejection is respectfully traversed.

As discussed during the personal interview, the invention is directed to statutory subject matter (*See Ex parte Lundgren, Appeal No. 2003-2088 (BPAI 2005)*). Therefore, withdrawal of the rejection of claims 1-16 under 35 U.S.C. §101 is respectfully requested.

**IV. THE CLAIMS DEFINE PATENTABLE
SUBJECT MATTER PURSUANT TO 35 U.S.C. §103**

The Office Action rejects claims 1-16 under 35 U.S.C. §103 as being unpatentable over U.S. Patent Application Publication #20030065614 to Sweeney (hereinafter "Sweeney") in view of U.S. Patent Application Publication #20020116323 to Schnall (hereinafter "Schnall"). The rejection is respectfully traversed.

Sweeney is directed to a method and system for rules based underwriting. In Sweeney, an underwriter's website provides an applicant with webpages for a multiscreen loan application. After the application is submitted, the underwriter may use a credit matrix application to automate credit decisions, which eliminates or minimizes human interactions. After a credit score is determined, it is sent to a loan product identifier so determine which type of loan an applicant may be eligible to receive. Once the loan product is identified, a term sheet generator may send the results to the applicant.

Schnall is directed to a method and apparatus for providing loan information to multiple parties. The system and method of Schnall provides loan data on a loan made to a primary party where the loan has a secondary party. The system Schnall includes generation of a primary and secondary messages for providing lending information.

In contrast, Applicant's invention provides for consolidating financial information from at least one of a borrower, a guarantor and a property into a central database; calculating financial cash flow for at least one of the guarantor, the borrower and the property; and unifying individual and corporate financial wealth, which is based upon the step of calculating financial cash flow, to determine global debt service, wherein the global debt service is further based upon individual global debt service information and corporate global debt service information. Sweeney does not teach or suggest the consolidation and evaluation of such disparate types of information and thereby consolidating decisioning. Schnall only describes generating primary and secondary messages. Thus, neither invention teaches or suggests the consolidation and analysis of individual, corporate and property information together to provide real time commercial loan decisioning as provided by Applicant's invention. Thus, the

combination of Sweeney and Schnall fails to disclose or suggest the invention of claim 1.

Further, neither Sweeney nor Schnall provides the requisite motivation for combining and modifying their teachings to arrive at the claimed invention. Thus, it is respectfully submitted that claim 1 defines patentable subject matter pursuant to 35 U.S.C. §103. Therefore, withdrawal of the rejection of claim 1 under 35 U.S.C. §103 is respectfully requested. Furthermore, dependant claims 2-16 dependant from claim 1 and thus, are distinguishable over the applied references for at least the reasons described in connection with claim 1 above. Therefore, withdrawal of the rejection of claims 2-16 under 35 U.S.C. §103 is respectfully requested.

Conclusion

In view of the foregoing, the Applicant respectfully requests that the Examiner consider the claims as amended for examination on the merits. A timely allowance of the pending claims is requested.

If there are any other fees due in connection with the filing of this Response, please charge any necessary fees to Deposit Account No. 50-1349.

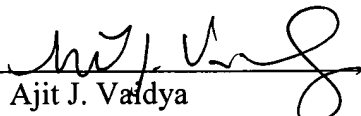
The Examiner is invited to contact Applicant's undersigned attorneys by telephone to discuss any matters if the Examiner feels such discussions may expedite the progress of the present application toward allowance.

Respectfully submitted,

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